

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY AND CASUALTY INSURANCE
COMPANY,
ALLSTATE FIRE AND CASUALTY INSURANCE
COMPANY, and
ALLSTATE INDEMNITY COMPANY,

Plaintiffs,

vs.

153 PLAZA LLC,
SEUNGHO KIM,
JEEWHA KIM,
MICHELLE CHUN,
ORD PHYSIATRY, P.C.,
DOHYUNG KIM PHYSICAL THERAPY, P.C.,
SYNERGYCARE PHYSICAL THERAPY, P.C.,
JNR ACUPUNCTURE, P.C.,
MARC J. ROSENBLATT, D.O.,
JONG WON YOM, D.C., L.AC. (individually and d/b/a
DR.YOM'S CHIROPRACTIC AND ALTERNATIVE
CARE), and
DOHYUNG KIM, P.T.,

Defendants.

C.A. No. 1:17-cv-05961-RRM-SMG

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1), it is hereby stipulated and agreed by Plaintiffs Allstate Insurance Company, Allstate Property and Casualty Insurance Company, Allstate Fire and Casualty Insurance Company, and Allstate Indemnity Company (collectively "Allstate"), and Defendants, 153 Plaza LLC, Seungho Kim, Jeewha Kim, Michelle Chun, ORD Physiatry, P.C., Dohyung Kim Physical Therapy, P.C., Synergycare Physical Therapy, P.C., JNR Acupuncture, P.C., Marc J. Rosenblatt, D.O., Jong Won Yom, D.C., L.Ac. (individually and d/b/a Dr. Yom's Chiropractic and Alternative Care), and Dohyung Kim, P.T., by and through

their undersigned counsel, that Allstate's Complaint (ECF No. 1) be dismissed without prejudice as to defendants, 153 Plaza LLC, Seungho Kim, Jeewha Kim, Michelle Chun, ORD Physiatry, P.C., Dohyung Kim Physical Therapy, P.C., Synergycare Physical Therapy, P.C., JNR Acupuncture, P.C., Marc J. Rosenblatt, D.O., Jong Won Yom, D.C., L.Ac. (individually and d/b/a Dr. Yom's Chiropractic and Alternative Care), and Dohyung Kim, P.T., without cost to any party.

[SIGNATURE PAGE FOLLOWS]

Respectfully Submitted,

Plaintiffs,

*Allstate Insurance Company,
Allstate Property & Casualty Insurance
Company,
Allstate Fire & Casualty Insurance Company,
and
Allstate Indemnity Company,*
By Their Attorneys:

Defendants,

*153 Plaza LLC, Seungho Kim, Jeewha Kim,
Michelle Chun, ORD Physiatry, P.C., Dohyung
Kim Physical Therapy, P.C., Synergycare
Physical Therapy, P.C., JNR Acupuncture,
P.C., Marc J. Rosenblatt, D.O., Jong Won
Yom, D.C., L.Ac. (individually and d/b/a Dr.
Yom's Chiropractic and Alternative Care), and
Dohyung Kim, P.T.,*
By Their Attorneys:

/s/ Michael W. Whitcher

Richard D. King, Jr. (RK8381)
Nathan A. Tilden (NT0571)
Michael W. Whitcher (MW7455)
Shauna L. Sullivan (SS5624)
Jasmine Garcia-Vieux (JG1805)
Smith & Brink, P.C.
350 Granite Street, Suite 2303
Braintree, MA 02184
(617) 770-2214

Dated: October 1, 2018

SO ORDERED:

Dated: Brooklyn, New York
_____, 2018

/s/ Charles H. Horn

Charles H. Horn
Alexander H. Mun
Daniel Scott Hallak
Jennifer Beth Strong
Russell Friedman & Associates LLP
3000 Marcus Avenue, Suite 2E3
Lake Success, NY 11042
(516) 355-9696

Dated: October 1, 2018

Mauskopf, J.
United States District Judge